

### Remarks

Reconsideration of the pending application is respectfully requested on the basis of the amendments above and the following particulars:

#### Amendments

Independent claim 16: the feature concerning the copy of the image has been reformulated in order to avoid any possible misunderstanding. This reformulation is based on the description page 8, lines 9-10 ("There is a relationship between the pixel of an image to be displayed and a cell of the display") and makes a clear distinction between a "cell" and a "pixel".

The following elements can now be found in the claims:

- a **matrix display device**;
- **cells** which are constituting the matrix display device; some of these cells may be defective;
- an **image**, which is displayed on the matrix display device;
- **pixels**, constituting the image.

Independent claims 23, 25, 31 and 32 are reformulated on the same basis.

#### Rejections of claims under 35 U.S.C. § 103

In the Office action, page 3, point 5, claims 16-19, 22-28 and 31-32 presently stand rejected under 35 USC § 103(a) as being unpatentable over Aida (JP 59-126967) in view of Ohara et al. (US 6,529,618).

This rejection is respectfully traversed for the following reasons.

#### **Regarding claim 16**

Claim 16 describes a method

- a) for avoiding misinterpretation of an image displayed on a matrix display device due to defective cells in the matrix display device, the method comprising:
- b) obtaining information on the presence and the location of the defective cells in said matrix display device, and
- c) on the basis of this information,
- d) modulating the operation of said matrix display device so as to emphasize or warn for the presence of said defective cells on the actual display of said image, or,
- e) in a copy of said image, adapting the image content of the pixels corresponding to said defective cells or of the pixels corresponding to the cells in the neighborhood of said defective cells so, as to emphasize or warn for the presence of pixels corresponding to said defective cells, thereby avoiding misinterpretation of the image displayed on the matrix display device due to said defective cells.

In the Office Action, it is said that features b) and e) (according to the previous formulation) were disclosed in Aida. Applicant respectfully disagrees.

Aida describes a test device for a LED matrix display in which the optical and electrical characteristics of each LED are measured and compared with a preset reference value. An acceptance or rejection judgment is done on the basis of this comparison and the result of this judgment is stored in a storage section. Positional signals are also stored in this storage section and the judgment results are displayed on a further display section at positions, corresponding to the positional signals.

At least feature e), is not disclosed by Aida.

Indeed, feature e) relates to a copy of the image displayed by the matrix display device. It is not clear whether, in Aida, there is an image, displayed by the

LED matrix display, but, even supposing the LED matrix displays an image, this image is not displayed by the display section. The display section is displaying the judgments results of the comparison, which is different from the image on the matrix display device, whatever may be displayed on this device. Because Aida does not disclose a copy of an image displayed by the matrix display device, Aida can also not disclose an adaptation of the image content of any pixels of the image and, a fortiori, Aida cannot disclose the misinterpretation of such an image.

It can thus been concluded that claim 16 is not anticipated by Aida because feature e) is not disclosed in the reference.

In the Office Action, it is further said that Ohara discloses features a) (except the matrix display device), b), d) and e) (again according to the previous formulation). Applicant respectfully disagrees.

Ohara describes a radiation image processing method/apparatus comprising i.a.:

- an image sensing panel (11), comprising a plurality of blocks (AR) and each block containing a number of detective elements (DT);
- an image data generating section (16) and an image memory section (20);
- a defect detecting section, carrying out the detection of an image defect (col. 8, lines 1-7);
- a defect information memory section (26) for memorizing the position of the image defect;
- a defect correction section (28);
- an image display device (Fig. 12: 56).

Figures 13, 14 (A) and 14 (B) illustrate different images, displayed by the image display device.

In figure 13 the positions of the newly detected image defects (col. 19, lines 12-19) are shown. In figure 14 (A) two different images are displayed on the screen: the

left-hand one corresponds to the radiation image before correction and the right-hand one corresponds to the radiation image after correction (col. 20, lines 58-67). Two different images are also displayed on the screen in figure 14 (B): the left-hand one indicates the position of the defective pixels and the right-hand one corresponds to the radiation image after correction (col. 21, lines 3-11). There is thus no figure showing the representation of the image and the indication of the image defects in a single combined image.

The following features of claim 16 are not disclosed by Ohara:

Feature a): Ohara does not disclose a matrix display device having defective cells and Ohara can thus not disclose a misinterpretation of an image, displayed by such a matrix display device; Ohara discloses a sensing panel having defects, the display device of Ohara is in principle without any defect.

Feature b): Because feature a) is not disclosed by Ohara, obtaining information on the presence and the location of defective cells of the matrix display device cannot be disclosed either; but Ohara discloses obtaining information on the presence and location of defective cells in an image sensing panel.

Feature d): Because the display in Ohara has no defects, Ohara cannot emphasize or warn for the presence of defects.

Feature e): Ohara does not disclose the copy of an image, displayed on a matrix display device but Ohara discloses the display of an image, generated by an image sensing panel. Ohara does even not disclose the adaptation of the image content of pixels of an image in order to emphasize or warn for certain defects because in Ohara, such defects are represented separately and not in combination with the image.

It can thus be concluded that features a), d) and e) are not disclosed in the prior art.

Claim 16 is thus novel over the prior art.

Regarding the obviousness of claim 16, it is stated in the Office Action that:

*"Therefore, it would have been obvious to "one of ordinary skill" in the art at the time the invention was made to use the misinterpretation method taught by Ohara et al. on a matrix display panel having defective pixels as taught by Aida in order to allow for medical doctors to read the photograph grasping the positions of the defective cells such that the misinterpretation of the medical image can be avoided".*

Applicant respectfully disagrees.

Indeed, combining the teachings of Ohara with the matrix display panel of Aida cannot lead to the solution of claim 16, because Ohara does not teach the use of a **single image**, in which real or copied image pixels are combined with pixels, emphasizing or warning for defective cells. On top of that, Ohara does not disclose the copy of a displayed image nor does Ohara disclose the display of an image on a matrix display device having defective cells.

It can thus be concluded that claim 16 is also non-obvious over the prior art.

#### **Regarding independent claims 23, 25, 31 and 32.**

Independent claims 23, 25, 31 and 32 contain all the features of claim 16 (except feature d) for claims 23 and 31). A reasoning, analogous to the reasoning applied for claim 16, is applicable for all these independent claims.

These claims are thus also submitted to be novel and non-obvious over the prior art.

**Regarding claims 17-19, 22, 24 and 26-28.**

These claims are all claims, dependent on a claim, submitted to be novel and non-obvious over the prior art. They are thus also novel and non-obvious over the prior art.

**Rejections of claims under 35 U.S.C. § 103**

In the Office action, page 8, point 6, claims 20-21 and 29-30 presently stand rejected under 35 USC § 103(a) as being unpatentable over Aida (JP 59-126967) in view of Ohara et al. (US 6,529,618) and further in view of Johnson et al. (US 2004/0164939)

Claims 20-21 and 29-30 being claims, dependent on a claim, submitted to be novel and non-obvious over the prior art. They are thus also novel and non-obvious over the prior art.

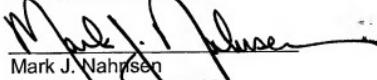
**Conclusion**

Every effort has been made to place the application fully in condition for allowance. In view of the amendments to the independent claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 16-32 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

March 23, 2009

Respectfully submitted,



Mark J. Nahmisen  
Registration No. 51,023  
Barnes & Thornburg LLP  
P.O. Box 2786  
Chicago, Illinois 60690-2786  
(312) 214-4800  
(312) 759-5646 – Fax